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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 9/11/06 Signature: Joyce A. Krumpke  
(Joyce A. Krumpke)

Docket No.: (AP8708)209565-84169  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Jurgen Schonlau

Application No.: 09/194,631

Confirmation No.: 3425

Filed: November 30, 1998

Art Unit: N/A

For: PNEUMATIC BRAKE FORCE BOOSTER

Examiner: Not Yet Assigned

**RENEWED PETITION UNDER 37 CFR 1.181**

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a request for renewed petition under 37 CFR 1.181.

In the Decision on Petition dated July 11, 2006 (Exhibit A), the Petitions Attorney took the position that the showing of record is insufficient to warrant withdrawal of the holding of abandonment because the record indicates that the petitioner submitted a change of correspondence address with the US Patent and Trademark Office on June 7, 2001. The Petitions Attorney goes on to state that the practitioner must submit a statement indicating the date that the law firm changed their location from 1533 N. Woodward Ave., Suite 140, Bloomfield Hills, MI 48304 to 39533 Woodward Ave., Suite 140, Bloomfield Hills, MI 48304.

Although it is true that the undersigned submitted a CHANGE OF ATTORNEYS ADDRESS IN APPLICATION on June 7, 2001 (see Exhibit B), over two months prior to the June 7, 2001 submission (i.e. March 26, 2001), the undersigned submitted a CHANGE OF CORRESPONDENCE ADDRESS for all applications and issued patents associated with Customer 010291 (see attached Exhibit C). The March 26, 2001 submission included a disk containing a listing of each case effected by the changed. Exhibit D is a copy of page 3 from a

PALM printout which shows that as of April 11, 2001, Serial No. 09/194,631 was assigned to Customer No. 010291 according to the US Patent and Trademark Office's own records. Thus, at least as early as April 11, 2001, the US Patent and Trademark Office records confirm that the instant application was associated with Rader, Fishman & Grauer PLLC, 39533 Woodward Ave., Suite 140, Bloomfield Hills, MI 48304-0610.

In view of this, the undersigned submits that at least as early as April 11, 2001, the US Patent and Trademark Office had the "39533 Woodward Ave." address associated with the instant application and accordingly, there is no reason why the Office Action dated April 27, 2001 was sent to the old "1533 N. Woodward" address.

Please note that although it has no direct bearing on the facts at hand, a slight clarification of the facts is called for. There was never any change of "location" from 1533 N. Woodward Ave., Suite 140, Bloomfield Hills, MI 48304 to 39533 Woodward Ave., Suite 140, Bloomfield Hills, MI 48304. Rather, as outlined in the March 26, 2001 CHANGE OF CORRESPONDENCE ADDRESS (Exhibit C), the change of address was brought about by the Post Office reallocating addresses in the city of Bloomfield Hills, MI and was not prompted by relocating offices.

The undersigned submits that the evidence set forth in Exhibit D evidences that the change of address was of record within the US Patent and Trademark Office at least 16 days prior to the issuance of the Office Action dated April 27, 2001. Accordingly, the undersigned submits that a change of correspondence address with the US Patent and Trademark Office was timely submitted by the undersigned.

Application No. 09/194,631  
Amendment dated  
Reply to Office Action of July 11, 2006

Docket No.: 209565-84169

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-3145, under Order No. 209565-84169 from which the undersigned is authorized to draw.

Dated:

Respectfully submitted,

By

  
Joseph V. Coppola, Sr.

Registration No.: 33,373

HONIGMAN MILLER SCHWARTZ AND  
COHN LLP

38500 Woodward Avenue  
Suite 100

Bloomfield Hills, Michigan 48304-5048

(248) 566-8500

Attorney for Applicant



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

HONIGMAN MILLER SCHWARTZ & COHN LLP  
38500 WOODWARD AVENUE  
SUITE 100  
BLOOMFIELD HILLS MI 48304-5048

**COPY MAILED**

JUL 11 2006 *cm*

**OFFICE OF PETITIONS**

In re Application of	:	
Schonlau et al.	:	
Application No. 09/194,631	:	DECISION ON PETITION
Filed: November 30, 1998	:	
Attorney Docket No. AP8708	:	

This is a decision on the petition filed on March 18, 2002, to withdraw the holding of abandonment. The petition was recently forwarded to the Office of Petitions for a decision on the merits. The undersigned immediately considered the petition upon its receipt in the Office. The Office sincerely apologizes for any inconvenience.

The application became abandoned for failure to reply timely to the nonfinal Office Action mailed on April 27, 2001, which set a three-month shortened statutory period for reply. In the absence of a timely filed response, the application became abandoned on July 28, 2001. A Notice of Abandonment was mailed on November 29, 2001.

In the present petition, petitioner requests that the Office withdraw the holding of abandonment due to non-receipt of the nonfinal Office Action mailed on April 27, 2001. The practitioner asserts that a search of the file jacket and docket records indicate that the nonfinal Office Action was not received. In support of the assertion, the practitioner submits the following: a copy of the file jacket for the subject application; a copy of pages 9-12 printed on May 15, 2001 of the electronic docket of the practitioner maintained by the law firm of Rader Fishman & Grauer; and, a copy of the practitioner's electronic docket as printed on June 1, 2001. The practitioner asserts that there is no entry for an Office Action for this application in the file jacket and docket records.

A review of the record indicates no irregularity in the mailing of the nonfinal Office Action, and in the absence of any irregularity in the mailing, there is a strong presumption that the nonfinal Office Action was properly mailed to the address of record, as it existed on April 27, 2001. This presumption may be overcome by a showing that the nonfinal Office Action was not in fact received. The showing required to establish non-receipt of an Office communication must include a statement from the practitioner, stating that the practitioner did not receive the Office communication and attesting to the fact that a

search of the file jacket and docket records indicates that the Office communication was not received. A copy of the docket record where the non-received Office communication would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement.<sup>1</sup> For example, if a three-month period for reply was set in the non-received Office action, a copy of the docket report showing all replies docketed for a date three months from the mail date of the non-received Office action must be submitted as documentary proof of non-receipt of the Office action.

The showing of record is insufficient to warrant withdrawal of the holding of abandonment at this time. Specifically, the record indicates that petitioner submitted a change of correspondence address with the USPTO on June 7, 2001. The practitioner must submit a statement indicating the date that the law firm changed their location from 1533 N. Woodward Avenue, Suite 140, Bloomfield, MI 48304 to 39533 Woodward Avenue, Suite 140, Bloomfield, MI 48304. The showing outlined in the petition would not be sufficient if there were circumstances that pointed to a conclusion that the practitioner did not receive the nonfinal Office Action because the practitioner did not timely submit a change of correspondence address with the USPTO.

The petition to withdraw the holding of abandonment is dismissed.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.181." Extensions of time are permitted under 37 CFR 1.136(a). In the alternative, petitioner may file a petition under 37 CFR 1.137(b) to revive an unintentionally abandoned application.

Further correspondence with respect to this matter should be addressed as follows and **to the attention of Senior Petitions Attorney Christina Tartera Donnell**:

By mail:                      Mail Stop Petition  
                                    Commissioner for Patents  
                                    P.O. Box 1450  
                                    Alexandria, VA 22313-1450

By FAX:                      (571) 273-8300  
                                    Attn: Office of Petitions

By hand:                     Customer Service Window  
                                    Randolph Building  
                                    401 Dulany Street  
                                    Alexandria, VA 22314

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<sup>1</sup> M.P.E.P. § 711.03(c); See Notice entitled "Withdrawing the Holding of Abandonment When Office Actions Are Not Received," 1156 O.G. 53 (November 16, 1993).

Telephone inquiries related to this decision may be directed to the undersigned at (571) 272-3211.

*Christina T. Donnell*

Christina Tartera Donnell  
Senior Petitions Attorney  
Office of Petitions

#10

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Schonlau et al.

Serial No.: 09 / 194,631

Group No.:

Filed: 11/30/98

Examiner:

For: Pneumatic Brake Force Booster

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

## CHANGE OF ATTORNEY'S ADDRESS IN APPLICATION

Please send all correspondence for this application as follows:

JOSEPH V. COPPOLA, SR.  
RADER, FISHMAN & GRAUER PLLC  
39533 WOODWARD AVENUE, SUITE 140  
BLOOMFIELD HILLS MI 48304

FAX RECEIVED

JUN 07 2001

Group 3700

Please direct telephone calls to:

JOSEPH V. COPPOLA, SR.  
(248) 594-0650

Reg.: 33373

Tel. No. ( 248 ) 594-0650

SIGNATURE OF ATTORNEY  
Joseph V. Coppola, Sr.Type or print name of attorney  
Rader, Fishman & Grauer PLLCP.O. Address  
39533 Woodward Avenue, Suite 140  
Bloomfield Hills MI 48304

## CERTIFICATE OF MAILING (37 CFR 1.83)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patent and Trademarks, Washington, D.C. 20231.

Leslie M. Wang

Date: 6/7/2001

Type or print name of person mailing paper)

(Signature of person mailing paper)

(Change of Attorney's Address in Application [12-3])

<http://www.intelprop.com>  
[info@raderfishman.com](mailto:info@raderfishman.com)

LAW OFFICES  
**RADER, FISHMAN & GRAUER**  
Professional Limited Liability Company  
39533 Woodward Avenue  
Suite 140  
BLOOMFIELD HILLS, MICHIGAN 48304  
TELEPHONE (248) 594-0600  
FACSIMILE (248) 594-0610

Grand Rapids, Michigan  
Washington, DC  
Englewood, Colorado

INTELLECTUAL PROPERTY MATTERS

JOSEPH V. COPPOLA, SR.

(248) 594-0650  
[jvc@raderfishman.com](mailto:jvc@raderfishman.com)

**VIA HAND DELIVERY ONLY**

March 26, 2001

Commissioner for Patents  
Box CN  
Washington, DC 20231

Re: Transmittal Cover Sheet For Change of Correspondence Address

Dear Sir:

Please recognize the following address:

**Customer Number: 010291**

as the correspondence address in the patent applications and issued patents listed in the attached printout. Also included herewith is a computer-readable diskette containing an electronic copy of the information set forth in the attached printout. The electronic copy has been formatted in the manner set forth in the notice entitled "Extension Of The Payer Number Practice (Through "Customer Numbers") To Matters Involving Pending Patent Applications" published in the Federal Register at 61 FR 54622, 54623-24 (October 21, 1996).

Please note that this change of address was not prompted by relocating our offices but rather was brought about by the Post Office reallocating addresses in the city of Bloomfield Hills, Michigan. Accordingly, we have been notified by the Post Office that any mail addressed to our former address will no longer be forwarded as of

**May 1, 2001.**



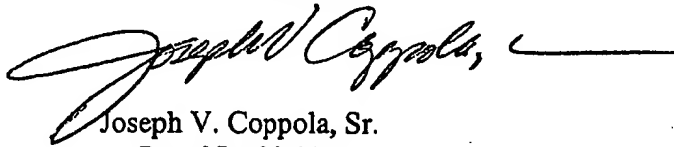
**RADER, FISHMAN & GRAUER PLLC**

Commissioner for Patents  
March 26, 2001  
Page 2

In view of the May 1, 2001 deadline, it is imperative that this change of correspondence address request be implemented prior to May 1, 2001. Expedited prosecution of this request will be greatly appreciated.

Respectfully submitted,

**RADER, FISHMAN & GRAUER PLLC**

A handwritten signature in dark ink, appearing to read "Joseph V. Coppola, Sr.", followed by a horizontal line.

Joseph V. Coppola, Sr.  
Reg. No. 33,373

Enclosures: Diskette and Printout

R0108452.DOC

RECEIVED  
EBC CSC

2001 MAR 26 P 1: 56

USPTO

**RADER, FISHMAN & GRAUER PLLC**

Lion Building  
1233 20th Street N.W.,  
Suite 501  
Washington, DC 20036



CUSTOMER NUMBER 10291 RUN DATE 04/11/01 CUSTOMER NUMBER ASSIGNMENTS TO PATENTS AND PENDING APPLICATIONS  
RADER, FISHMAN & GRAUER PLLC  
39533 WOODWARD AVENUE  
SUITE 140  
BLOOMFIELD HILLS MI 48304-0610

PAGE 3

APPLICATION NUMBER	PATENT NUMBER	FILING DATE	PATENT DATE	CORRESPONDENCE ADDRESS	PRACTITIONER OF RECORD	FEE ADDRESS
0915521		04/17/98	06/22/99	YES	YES	YES
**** FILING DATE ERROR - EXCEL DATE = 04/17/98 PALM DATE = 06/22/99						
09171899		10/28/98	05/06/99	YES	YES	YES
**** FILING DATE ERROR - EXCEL DATE = 10/28/98 PALM DATE = 05/06/99						
09180082		11/02/98	07/23/99	YES	YES	YES
**** FILING DATE ERROR - EXCEL DATE = 11/02/98 PALM DATE = 07/23/99						
09180165		11/03/98	03/01/99	YES	YES	YES
**** FILING DATE ERROR - EXCEL DATE = 11/03/98 PALM DATE = 03/01/99						
09180817		11/16/98	05/07/99	YES	YES	YES
**** FILING DATE ERROR - EXCEL DATE = 11/16/98 PALM DATE = 05/07/99						
09194857		12/03/98	03/18/99	YES	YES	YES
**** FILING DATE ERROR - EXCEL DATE = 12/03/98 PALM DATE = 03/18/99						
09194951		12/07/98	07/09/99	YES	YES	YES
**** FILING DATE ERROR - EXCEL DATE = 12/07/98 PALM DATE = 07/09/99						
09194278		11/23/98	07/09/99	YES	YES	YES
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09194632		11/09/98	04/01/99	YES	YES	YES
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09194631		11/30/98	08/27/99	YES	YES	YES
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09202858		12/21/98	05/21/99	YES	YES	YES
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09202860		12/21/98	07/30/99	YES	YES	YES
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09202412		12/14/98	03/23/99	YES	YES	YES
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09214351		12/31/98	10/21/99	YES	YES	YES
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